

the cost of the new facilities would be \$801,500 which would be reimbursed by AGL.

Southern states that its proposal is an integral part of the compromises established in its Stipulation and Agreement (Settlement) filed on March 15, 1995, in Docket Nos. RP89-224, *et al.* to resolve all of its outstanding rate and gas supply realignment cost proceedings pending before the Commission. Southern requests Commission approval of the application by no later than October 31, 1995, contingent upon and in conjunction with approval of the provisions of the Settlement.<sup>3</sup>

Any person desiring to be heard or to make any protest with reference to said application should on or before April 28, 1995, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate, and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for Southern to appear or be represented at the hearing.

Lois D. Cashell,

*Secretary.*

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**[Docket No. RP91-203-000, et al. (Phase II)]**

**Tennessee Gas Pipeline Co.; Notice of Informal Settlement Conference**

April 7, 1995.

Take notice that an informal settlement conference will be convened in this proceeding on Monday, April 24, 1995, at 11:00 a.m., at the offices of the Federal Energy Regulatory Commission, 810 First Street NE., Washington, D.C., for the purpose of exploring the possible settlement of the above-referenced docket.

Any party, as defined by 18 CFR 385.102(c), or any participant as defined in 18 CFR 385.102(b), is invited to attend. Persons wishing to become a party must move to intervene and receive intervenor status pursuant to the Commission's regulations (18 CFR 385.214).

For additional information, please contact Dennis H. Melvin (202) 208-0042 or Donald Williams (202) 208-0743.

Lois D. Cashell,

*Secretary.*

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**Office of Hearings and Appeals**

**Proposed Implementation of Special Refund Procedures**

**AGENCY:** Office of Hearings and Appeals, Department of Energy.

**ACTION:** Notice of proposed implementation of special refund procedures.

**SUMMARY:** The Office of Hearings and Appeals (OHA) of the Department of Energy (DOE) announces the proposed procedures for disbursement of \$866,352.24, plus accrued interest, in refined petroleum product violation amounts obtained by the DOE pursuant to Consent Orders issued to Bell Fuels, Inc., et al., Case Nos. LEF-0061, et al. In the absence of sufficient information to implement direct restitution to injured customers of the consenting firms, the OHA has tentatively determined that if no such customers come forward, the funds obtained from these firms, plus accrued interest, will be made available to state governments

for use in four energy conservation programs.

**DATES AND ADDRESSES:** Comments must be filed in duplicate on or before May 15, 1995, and should be addressed to the Office of Hearings and Appeals, Department of Energy, 1000 Independence Ave., S.W., Washington, DC 20585. All comments should display a reference to the appropriate case number.

**FOR FURTHER INFORMATION CONTACT:**

Thomas O. Mann, Deputy Director, Roger Klurfeld, Assistant Director, Office of Hearings and Appeals, 1000 Independence Avenue SW., Washington, D.C. 20585, (202) 586-2094 (Mann); 586-2383 (Klurfeld).

**SUPPLEMENTARY INFORMATION:** In accordance with 10 CFR 205.282(b), notice is hereby given of the issuance of the Proposed Decision and Order set out below. The Proposed Decision and Order sets forth the procedures that the DOE has tentatively formulated to distribute \$866,352.24, plus accrued interest, obtained by the DOE pursuant to Consent Orders issued to eighteen resellers and retailers of refined petroleum products. The Consent Orders settled DOE allegations that, during periods between 1973 and 1981, the firms had sold certain refined petroleum products at prices in excess of the maximum lawful selling price, in violation of Federal petroleum price regulations. The names of the firms, their case numbers, the dates of the settlement periods, the products covered by each Consent Order, and the amounts received from each firm are set forth in the Appendix to the Proposed Decision.

Since it lacks sufficient information to implement a standard first-stage refund process, the OHA has tentatively determined to make all of the funds obtained from the firms available for indirect restitution in accordance with the provisions of the Petroleum Overcharge Distribution and Restitution Act of 1986 (PODRA), 15 U.S.C. 4501-07. The funds will be distributed to state governments for use in four energy conservation programs. Before making the funds available to the states, however, the OHA will accept refund claims from any injured customers of the consenting firms who come forward and will devise refund procedures based on the information these applicants provide.

Any member of the public may submit written comments regarding the proposed refund procedures. Commenting parties are requested to provide two copies of their submissions. Comments must be submitted within 30

<sup>3</sup> Southern indicates that a related filing is being made concurrently in Docket No. CP95-289-000 to provide enhanced service to the Atlanta, Georgia, and South Carolina areas and new firm transportation services for an existing customer.